

Appl. No. : 10/681,472
Filed : October 8, 2003

AMENDMENTS TO THE DRAWINGS

Applicants submitted replacement drawings on November 18, 2005 in response to an objection to the drawings in the Office Action mailed May 20, 2005. However, these replacement drawings did not comply with 37 C.F.R. § 1.121(d). Thus, in the Office Action mailed February 6, 2006, the Examiner again objected to the drawings.

Applicants are submitting appropriate replacement drawings with this response. The drawings are substantively the same as the drawings submitted November 18, 2005; however, they have been redrawn and reconfigured so as to comply fully with 37 C.F.R. § 1.121(d).

Applicants submit that the Examiner's objections to the drawings are now overcome.

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REMARKS

New Claims Are In Condition for Allowance

Applicants have obtained new patent counsel. Upon reviewing the present application and pending claims in light of Applicants' current products, Applicants' new counsel recommended replacing the pending claims with new claims that more thoroughly claim Applicants' inventive subject matter. Accordingly, Claims 1-19 have been cancelled without prejudice. Applicants reserve the right to further pursue the subject matter recited in the cancelled claims in the future.

New Claims 20-39 have been added. These claims define over the cited art, and thus recite patentable subject matter. For example, independent Claim 20 recites, *inter alia*, a packaging system, comprising first, second and third layers that are arranged generally horizontally, the layers having side edges that are attached to one another, a main space being defined between the first and second layers, and a pocket space defined between the second and third layers, and a first aperture formed through the third layer, the aperture providing access to the pocket space. The cited references do not teach or suggest at least these limitations.

Additionally, independent Claim 34 recites, *inter alia*, a package comprising a contiguous sheet of material folded to overlap itself so as to form first, second and third layers that have opposing side edges and which are attached to one another along their side edges. The first and second layers are attached to one another along a first fold of the contiguous sheet, the first fold defining a rear edge of each of the first and second layers. The second and third layers are attached to one another along a second fold of the contiguous sheet, the second fold defining a front edge of each of the second and third layers. A contents space is defined between the first and second layers and between the attached side edges and the first fold. There is an opening between a front edge of the first layer and a front edge of the second layer, the opening providing access to the contents space. The first layer has a front flap adapted to engage a portion of the contiguous sheet so as to selectively close the opening. The cited references do not teach or suggest all of these limitations.

All of the other currently-pending claims depend from independent Claim 20 or 34 and recite additional patentable subject matter such as, for example, the third layer comprising a second aperture, and a handle being defined between the first and second apertures; folding

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portions that extend between layer edges; and the first layer having a flap with a reusable adhesive.

New Claims are Consistent With Previous Election

Applicants previously elected to proceed with claims directed to a package. The scope of the new claims is consistent with this election.

Claim Rejections Are Moot

The Examiner had rejected certain of the claims under 35 U.S.C. §§ 102, 103 and 112, but had also noted that certain other claims recited patentable subject matter. Since Applicants are proceeding with all-new claims, the outstanding rejections and indications of allowability are moot. Nevertheless, Applicants note that the present claims are not taught or suggested by the cited references.

Conclusion

Applicants submit that all of the outstanding objections and rejections have been overcome or made moot, and that the application currently is in condition for allowance. If any issues remain, the Examiner is requested to contact Applicants' attorney listed below.

Respectfully submitted,

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